



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/643,674  
Filing Date: August 19, 2003  
Applicant: Hyon et al.  
Group Art Unit: 1711  
Examiner: Susan W. Berman  
Title: ULTRA HIGH MOLECULAR WEIGHT POLYETHYLENE  
MOLDED ARTICLE FOR ARTIFICIAL JOINTS AND  
METHOD OF PREPARING THE SAME  
Reissue of: U.S. Patent 6,168,626 issued 01/02/2001  
Attorney Docket: 1736-000001/REB

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Mal Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**SUPPLEMENTAL STATEMENT UNDER 37 CFR § 3.73(b)**

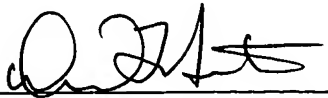
Sir:

The current reissue application is a divisional reissue of reissue application Serial No. 10/141,374, which was filed as a reissue of U.S. Patent No. 6,168,626 issued January 2, 2001. A prior Statement Under 37 CFR 3.73(b) was filed documenting ownership of the '626 patent by BMG Incorporated, along with an Assignee Consent Under 37 CFR 1.172. A copy of that Statement is attached. The prior statement was executed by Yoko Gen.

The undersigned attorney for BMG Incorporated states that, to the best of his knowledge after reasonable investigation, Yoko Gen, the Chief Executive Officer of BMG Incorporated, was authorized to sign the Assignee Consent to Reissue on behalf of BMG Incorporated.

Respectfully submitted,

Dated: 16 October 2006

By:   
David L. Suter, Reg. No. 30,692  
Attorney for Applicants

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

DLS/sem



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Application No.: 10/141,374  
Filing Date: 5/8/02  
Applicant: Hyon et al.  
Group Art Unit: 3738  
Title: Ultra High Molecular Weight Polyethylene  
Molded Article for Artificial Joints and Method of  
Preparing the Same  
Reissue of U. S. Patent 6,168,626, Issued 01/02/2001  
Attorney Docket: 5490-000280/REA

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Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

STATEMENT UNDER 37 CFR 3.73(b) AND POWER OF  
ATTORNEY OR AUTHORIZATION OF AGENT

Under 37 C.F.R. § 3.73(b), the undersigned hereby states that the below-named  
Assignee is an assignee in the above-identified Patent and Reissue Application:

Assignee: BMG Incorporated

The documentary evidence of a chain of title from the original owner to the Assignee  
is provided in the Assignment Document(s):

☐ filed herewith,

☒ previously filed,

Reel No. 008082, Frame No. 0009.

POWER OF ATTORNEY

COPY

I hereby appoint each practitioner at Customer No. 27572 ( \*27572\* ) of  
Harness, Dickey & Pierce, P.L.C., my attorney with full power of substitution and revocation,  
to prosecute this application and to transact all business in the Patent and Trademark Office  
connected therewith.

**CORRESPONDENCE ADDRESS**

I request the Patent and Trademark Office to direct all correspondence and  
telephone calls relative to this application to Customer No. 27572 ( \*27572\* ), Harness,  
Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

The undersigned, whose title is supplied below, is empowered to sign this certificate  
on behalf of the assignee.

BMG Incorporated

Date:

7/30/02

  
Name: Yoko Gen  
Title: C.E.O.



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/141,374  
Filing Date: 5/8/02  
Applicant: Hyon et al.  
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Title: Ultra High Molecular Weight  
Polyethylene Molded Article for  
Artificial Joints and Method of  
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Attorney Docket: 5490-000280/REA

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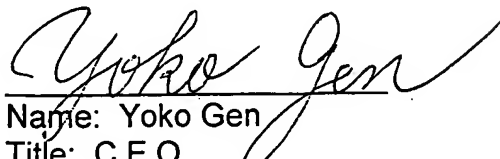
Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**ASSIGNEE CONSENT UNDER 37 C.F.R. 1.172**

BMG, Incorporated, assignee and sole owner of U.S. Patent No. 6,168,626 B1 which issued to Hyon et al. on January 2, 2001, consents to the filing of the Reissue Application No. 10/141,374 filed May 8, 2002 for the reissue of said U.S. Patent No. 6,168,626 B1.

BMG Incorporated

Date: 7/30/02

  
Name: Yoko Gen  
Title: C.E.O.

**COPY**



10-17-06

PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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I FW

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/643,674	
	Filing Date	August 19, 2003	
	First Named Inventor	HYON et al.	
	Art Unit	1711	
	Examiner Name	Susan W. Berman	
Total Number of Pages in This Submission		Attorney Docket Number	1736-000001/REB

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (in Duplicate)  <input checked="" type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Reply  <input checked="" type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Supplemental Statement Under 37 CFR 3.73(b); Copy of Statement Under 3.73(b) and POA; Copy of Assignee Consent Under 37 CFR 1.172; and Return-Receipt Postcard</b>		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.
Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.			

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	David L. Suter	Reg. No.	30,692
Signature					
Date	October 16, 2006				

**CERTIFICATE OF TRANSMISSION/MAILING**

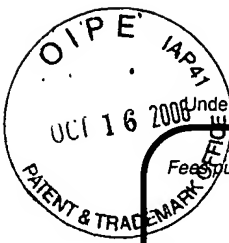
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	David L. Suter	Express Mail Label No.	EV 757 778 131 US (10/16/2006)
Signature		Date	October 16, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV 757 778 131 US



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Effective on 12/08/2004  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL for FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 120

### Complete if Known

Application Number	10/643,674
Filing Date	August 19, 2003
First Named Inventor	HYON et al.
Examiner Name	Susan W. Berman
Art Unit	1711
Attorney Docket No.	1736-000001/REB

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 08-0750 Deposit Account Name: Harness, Dickey & Pierce, PLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments  
Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee(\$)</b>
_____ -20 or HP= 0	x _____	= 0
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee(\$)</b>
_____ - 3 or HP= 0	x _____	= 0
HP = highest number of independent claims paid for, if greater than 3.		

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	= 0	/ 50 = 0 (round up to a whole number) x	= 0	= 0

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Extension of Time (1 month)

**Fees Paid (\$)**  
120

### SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	30,692	Telephone	(248) 641-1600
Name (Print/Type)	David L. Suter	Date	October 16, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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